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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10,022,263	12/20/2001	Akiko Ono	011599	7649

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EXAMINER

WALSH, DANIEL I

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/022,263

Applicant(s)

ONO ET AL.

Examiner

Daniel I Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 8-6-02 (Amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Receipt is acknowledged of the Amendment received on 6 August 2002.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. (US 5,945,652) in view of Albaret (US 6,149,058).

Ohki et al. teaches a portable card unit processing apparatus for processing data when a card is inserted into the apparatus through its electronic wallet and method for operating the same.

Specifically, Ohki et al. teaches a first communicating section for communicating with the card unit through card slot 3161 (FIG. 3B) and IC card reader/writer 316.

Ohki et al. teaches a connection section for being detachably connected to an external apparatus through modem connector 331,311 and a second communication section for communicating with the external apparatus, removably attachable modem unit 321. It is understood that the modem connector, while being a connection section for being detachably connected to the modem, includes a communication section for communicating with the modem, since Ohki et al. teaches "The illustrated electronic wallet further includes the modem connector 311 for connecting the modem unit 321 only for electronic wallet to the internal communication line 13 for control of electronic money to realize transaction or transfer of electronic money with the IC card of another private user, bank or retail store connected thereto via the communication line 323" (col 7, lines 32+), and through claim 13 (col 13, lines 28+), which teaches the communication can occur through the modem, and therefore necessitates the communicating section at the modem connector in order for the modem to be able to communicate with the card wallet. Further, it is well known in the art that the communicating section would communicate with the modem through the connection section, since it is understood that signals need be sent and received to/from the modem through the modem connector in order for communication between the modem, card, and other cards/users/systems to be facilitated.

Ohki et al. teaches a display section for displaying at least data read out from the storage section of the card unit through the first communicating section through FIG.8 and display part 312 which shows the contents of the card (balance and lock state, for example, as seen in 3124), interpreted to include data from the storage section of the card.

Ohki et al. teaches a control section for controlling the first communicating section and second communicating section so as to transfer data between the card unit and the external apparatus when the external apparatus is connected to the connecting section through microprocessor 313 and controller 314 (FIG. 2) and modem 321. Microprocessor 313 controls electronic money, and the controller controls the entire electronic wallet (col 7, lines 9+). Further, it is taught above that communication takes place between the apparatus and an external apparatus when connected (through modem 321). It is understood that the modem and communications is controlled by the microprocessor/controller since it is well known that they are used to control the operating of such apparatuses, and they are coupled to the modem as seen in FIG. 2. It is well known that microprocessors and controllers exert control on the various components of an electrical device/system and therefore at the time the invention was made it would have been obvious to an artisan of ordinary skill in the art that they exert control as to transfer data between the card unit and external apparatus, through the modem 321.

Ohki et al. teaches controlling the first dedicated communicating section and display section as to read out data from the storage section of the card unit and to display the read out data on the display section while the external apparatus is disconnected from the connection section as it is understood that the read out data from the storage section of the card unit is displayed when the external apparatus is disconnected from the connection section, since the modem unit is removably mounted to the card slots of the electronic wallet (col 2, lines 56+). In a case such as that presented in FIG. 6 or 11, when data is being transferred between 2 cards removably inserted into the device, or when a function switch 3191 is pressed, the read out data is displayed, and the modem can be disconnected from the device, since a modem is not

necessary for such a transaction, and therefore a connection to an external apparatus is not necessary when not communicating with the external apparatus and hence the modem is disconnected as is permitted in the device, since it has already been taught that the modem is removably attachable, and hence would only be attached when necessary.

Re claim 3, these limitations have been discussed above with respect to claim 1. Further, Ohki et al. teaches that the card unit contain electronic money through "An electronic wallet includes a plurality of operating keys at least having a plurality of numeric and calculation keys, a display part for displaying thereon electronic money information and IC card state information" (abstract) and FIG. 3A-3C, and FIG. 6 which show the card unit attached to the apparatus and the external apparatus disconnected. Further it is understood that the balance information can be read and displayed when the card is inserted and when the external device is disconnected as taught above and through FIG. 8, since it is understood that the modem is removably detachable, and therefore is not necessary for all electronic transactions (i.e.: those between 2 cards as shown in FIG. 6, where a balance would still need to be displayed as in FIG. 8, or when a function switch 3191 is pressed.

Ohki et al. fails to teach a connecting section that is directly connected to an external apparatus eliminating the necessity of a central office of a telephone company.

Albaret teaches a chip card reader that reads out stored data in a card when connected to the card, through chip card reader 10, which inherently contains a communicating section for communicating with the card unit, such as through contacts (col 3, lines 2+). A connecting section for being detachably and directly connected to an external apparatus eliminating the need for a phone line, is present through connector 20. Though Albaret is silent to the detachable

nature of the connector, at the time the invention was made, it was obvious and well known that peripheral devices that are connected to a microcomputer are detachably connected, such as printers, scanners, cameras, etc. in order to provide removability so that different devices are permitted to interface with the computer at various times. Therefore, it would have been obvious for the connector to be removable/detachable, since detachable cords/wires for connectivity between microcomputers and peripheral devices were well known and common in the art. A second communicating section also exists for communicating with the external apparatus (microcomputer) through parallel bus 14. A display section (monitor) of the microcomputer is understood to display the data read from the card, in a manner that was conventional and well known in the art. A control section to control the transfer of data from the card reader to the computer is inherent in this device as well. It is well known that a card cannot be read unless it is connected to the reader, and that data cannot be transferred unless the card is in the reader. Though Albaret is silent to displaying of the card data when the reader is disconnected from the computer, at the time the invention was made, it would have been obvious to do so, because it is well known and obvious in the art that the computer can display the information that is copied from the card, and therefore, does not need the presence of the card in the reader to view the data taken from it. Albaret teaches the chip card is connected for data exchanges, teaches a buffer memory 42 of the card reader, and that data and synchronization signals are sent to the computer by the card. Accordingly, it is understood that the card data can then be read without the presence of the card reader and card connected to the computer.

At the time the invention was made, it would have been obvious to combine the teachings of Ohki et al. with those of Albaret.

One would have been motivated to do this in order to have a card processing unit that is able to communicate and display data read from a card reader, in a manner that is well known in the art, especially since Ohki et al. suggests the use of IC card and card readers connected to external devices that are detachable and do not require a phone line, through FIG. 1 and the use of a IC card in a bank teller terminal, or pos terminal, workstation, etc.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. as modified by Albaret, as applied to claim 1 above, and further in view of Takami et al.

The teachings of Ohki et al. have been discussed above.

Ohki et al. fails to specifically teach that the control section includes a connection determining section for determining based on a connection information signal from the connection section, whether the external apparatus is connected to the connection section.

It is well known in the art that connection signals are generated in order for apparatuses to detect device connectivity. Further, Takami et al. teaches an electronic purse where electronic money is transferred depending on the existence of an external device connected to an external device-connecting terminal (abstract). Specifically, Takami et al. teaches "The third embodiment is different from the first embodiment in that an external device discriminating switch 33 is provided to discriminate connection of external devices. This external device discriminating switch 33 is provided adjacent to the external device connecting terminal 8, and is constructed so that when a terminal box 34 on the side of the modem unit 5 abuts onto it, the switch is turned on. The processor inputs an output signal of the external device discriminating switch 33, and judges if an external device is connected to the external device connecting terminal 8. When the terminal box 34 on the side of the modem unit 5 is connected to the



external device connecting terminal 8, the external device discriminating switch 33 is operated and the signal is transferred to the processor 29. In the present embodiment, the signal from the external device discriminating terminal 33 is used for detecting (discriminating) if an external device is connected" (col 10, lines 18+). Further, Takami et al. teaches that the processor 29 performs control processing for processing, inputting and outputting electronic money information and other information signals in the main body 2 of the electronic purse (col 5, lines 63+). Thus, the processor can be generally be interpreted as a control section, since it performs functions to control the device. Therefore, as taught above, the connection of the external device is determined based on a signal from the connection section/terminal 8 that is sent to the control section/processor to determine if an external device is attached. Further, though Albaret doesn't teach the specifics of balance information, it is understood to teach controlling of the reading of information from the card, and permits the subsequent display of information on a computer, for example, in a way that is well known and obvious in the art.

Accordingly, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ohki et al. as modified by Albaret with those of Takami et al.

One would have been motivated to do this in order to have a means to detect device connectivity in order to inform the user if the connection is available, thus making the transfer of electronic money/data easier for the user and allowing the user to be sure that a transfer went through (i.e. connectivity is established).

4. Claims 4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al., as modified by Albaret as applied to claim 1, above, and further in view of Tognazzini (US 5,850,077) and Yanagi et al. (US 6,168,078).

The teachings of Ohki et al. as modified by Albaret have been discussed above.

Ohki et al. as modified by Albaret fails to specifically teach that the card unit processing apparatus has a storage section (non-volatile) for holding at least part of information stored in a storage section of the card and that transaction information on the electronic money is read out from the storage section of the card and is stored as at least part of information on the same storage section of the processing apparatus. Re claim 7, Ohki et al. teaches that the card unit stores electronic money in its storage section (of the card) since it is read out through the apparatus and displayed through FIG.8.

Tognazzini teaches the card unit processing apparatus stores data of the card unit through "The memory storage preferably has ROM for storing the programming required to drive the processor and RAM [non volatile] for temporarily storing charge information" (col 2, lines 45+). Though Tognazzini teaches that the data is transmitted to the card unit processing unit from an external source (register via wireless or suitable connector), Tognazzini nonetheless teaches the temporary storage of card data in the reader itself, but fails to teach that it without external connections facilitating the data transfer. Re claim 7, Tognazzini teaches storing the tip and total charge in RAM (FIG. 14, step 1435). This is generally interpreted to include storing part of information (of electronic money/currency) in the storage section of the apparatus.

Yanagi et al. teaches a card reader with "The memory 18 stores the data of the file read from the IC card 2, a history of the read file and the like" (col 3, lines 22+). Further, even Albaret teaches the use of a buffer memory for holding at least part of information stored in the card and that the information is read out from this buffer memory and stored on the computer (buffer 42).

Therefore, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ohki et al. as modified by Albaret with those of Tognazzini and Yanagi et al.

One would have been motivated to do this in order to have a portable card unit processing apparatus that can store data off the card so as to provide basic information to the user of the card (such as remaining funds, transaction history, etc.) so the user can visually review the card use and contents of the card to provide a more user friendly card processing apparatus.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. as modified by Albaret, Tognazzini and Yanagi et al., as applied to claim 4 above.

The teachings of Ohki et al. as modified Albaret, Tognazzini and Yanagi et al. have been discussed above.

Ohki et al. as modified by Tognazzini and Yanagi et al. fail to specifically teach that when the card unit is attached to the apparatus with the external apparatus connected to the connecting section, that the control section controls the second communicating section to transfer at least part of information stored in the save storage section, to the external apparatus.

Albaret teaches transferring the at least part of information of the card to be stored in a memory of the card reader through "The chip card reader is provided, firstly, with a data buffer

memory enabling the temporary storage of the pieces of data read in the card" (abstract), and then transfers the card data to an external apparatus (microcomputer 12) through bus 14,21 and connector 20. It is understood that the information is read from a storage section of the card

Re claim 6, Albaret teaches a buffer 42 for transfer of information from the card to the buffer memory 42. It is understood that a request or signal is sent from the reading device/external device for transfer of information, in a way that is well known and practiced in the art. Further, it has been taught above and is well known that a control section controls the communicating of information between the card and the card reader.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ohki et al., Tognazzini, and Yanagi et al. with those of Albaret.

One would have been motivated to do this in order to provide a temporary storage in case that the external device is busy, and the data cannot be transferred immediately.

Though Albaret doesn't teach that the control section controls the second communicating section to transfer the stored data, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to do so, since the control sections are understood in the art to be responsible for controlling the functions of the apparatus (processing of data, I/O functions, etc.), and therefore, would be an obvious expedient, in compliance with the ordinary skill of one in the art.

*Response to Arguments*

6. Applicant's arguments with respect to claims 1-5 and 7-8 have been considered but are moot in view of the new ground(s) of rejection. The Examiner has incorporated the prior art of Albaret (US 6,149,058) to meet the limitations of the claims that a phone line is no longer needed, and that a direct and removable connection is established between a card and device.

*Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Daniel Walsh** whose telephone number is **(703) 305-1001**. The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[daniel.walsh@uspto.gov]**.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set for the in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

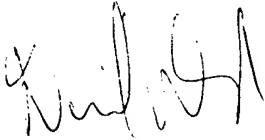
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D. Walsh

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DW

10-2-02



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